

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

GEORGE SINK, P.A. INJURY LAWYERS,
)
Plaintiff,
)
v.
)
GEORGE SINK II LAW FIRM, LLC,
)
GEORGE SINK LAW FIRM, LLC,
)
SOUTHERN LEGAL ASSOCIATION, LLC,
)
and GEORGE (“TED”) SINK, JR.,
)
Defendants.
)

Civil Case No. 2:19-cv-01206-DCN

MEMORANDUM IN SUPPORT OF MOTION TO SEAL

Pursuant to the Federal Rules of Civil Procedure and Local Rule 5.03, D.S.C., Plaintiff George Sink, P.A. Injury Lawyers (“Plaintiff”) respectfully submits this Memorandum in support of its Motion to Seal, and shows the Court the following:

1. Plaintiff seeks to file under seal certain portions of the Memorandum in Support of Plaintiff's Motion for Preliminary Injunction (the "PI Memorandum") and certain portions of the Declaration of George T. Sink, Sr. ("Sink Declaration").

2. Plaintiff only seeks to redact portions of the PI Memorandum that contain confidential and proprietary business information, such as Plaintiff's marketing expenditures and gross revenues, and personal and/or sensitive information, such as the names of former clients and non-parties, so that their full names are not disclosed as a result of a litigation in which they are not involved. The portions of the Sink Declaration that Plaintiff seeks to redact correspond to the redacted portions of the PI Memorandum.

3. Plaintiff's redactions are very specific and limited, and only withhold information to which the public is not entitled or for the purpose of protecting the identity of non-parties. There is no less drastic alternative or mechanism to Plaintiff's redactions, as they are already narrowly tailored and minimal, that will afford adequate protection of the personal, sensitive, confidential, and/or proprietary business information described herein.

4. The interest of protecting the disclosure of confidential business information, as long as it is established and not outweighed by countervailing interests, has been recognized as a legitimate one. *See Nixon v. Warner Communs., Inc.*, 435 U.S. 589, 598, 98 S. Ct. 1306 (1978); *Pittson Co. v. United States*, 368 F.3d 385, 406 (4th Cir. 2004). In this case, the public's right of access to information is outweighed by competing interests of the parties in this litigation and their legitimate interests in the preservation of sensitive business terms and commercial information that, if disclosed to third-parties, could allow such third-parties to unfairly gain a business advantage.

5. For the reasons set forth above, Plaintiff seeks an order from the Court allowing it to file under seal certain portions of the PI Memorandum and Sink Declaration.

6. The undersigned counsel certify that they have complied with Local Rule 5.03, D.S.C. in the filing of this Motion to Seal and supporting Memorandum. A non-confidential descriptive index is attached hereto as Exhibit A.

Date: May 15, 2019

Respectfully submitted,

s/ Trudy H. Robertson
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EXHIBIT A

Non-Confidential Descriptive Index

1. Memorandum in Support of Plaintiff's Motion for Preliminary Injunction
2. Declaration of George T. Sink, Sr.